

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
WHITE PLAINS DIVISION

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JENNIFER RAND, individually and on behalf of :  
a class similarly situated, :  
: Plaintiff, :  
: : No. 7:21-cv-10744-VB  
v. :  
: THE TRAVELERS INDEMNITY COMPANY, :  
: Defendant. :  
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**DEFENDANT THE TRAVELERS INDEMNITY COMPANY'S  
MOTION TO DISMISS THE COMPLAINT**

Defendant The Travelers Indemnity Company ("Travelers") hereby moves to dismiss this action with prejudice for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1) and for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6). The grounds for Travelers' motion are set forth in the accompanying supporting Memorandum of Law.

This motion is submitted in accordance with the Court's Order, dated January 18, 2022, extending the deadline for Travelers to answer, move, or otherwise respond to the Complaint to February 7, 2022 (ECF No. 8).

*[signature on following page]*

Dated: February 7, 2022

Respectfully submitted,

*/s/ Christopher J. Borchert*

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